

**COMMITTEE ON PUBLIC WORKS AND PURCHASING**  
(Standing Committee of Berkeley County Council)

**Chairman:** Mr. Caldwell Pinckney, Jr., Council District No. 7

A **meeting** of the **COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Standing Committee of Berkeley County Council, was held on **Monday, August 8, 2011**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:06 p.m.

**PRESENT:** Chairman Caldwell Pinckney, Jr., Council District No. 7; Committee Member Phillip Farley, Council District No. 1; Committee Member Robert O. Call, Jr., Council District No. 3; Committee Member Dennis L. Fish, Council District No. 5; Committee Member Jack H. Schurlknight, Council District No. 6; Supervisor Daniel W. Davis; Ms. Nicole Ewing, County Attorney; and Ms. Catherine Windham, Interim Clerk of County Council.

**ALSO PRESENT:** Council Member Timothy Callanan, District No. 2, ex-officio; Council Member Cathy Davis, District No. 4, ex officio; Council Member Steve Davis, District No. 8, ex officio.

*In accordance with the Freedom of Information Act, the electronic and print media were duly notified.*

Chairman Pinckney: "I would like to call the meeting on Public Works and Purchasing meeting to order. First thing on the agenda is the approval of minutes for the July 11, 2011 meeting."

Committee Member Farley: "So move."

Committee Member Call: "Second."

Chairman Pinckney: "We have a motion and a second. Are there any corrections to these minutes? (No Response) All in favor, let it be known by saying Aye? (Ayes) Opposes Nay? (No Response) The minutes stand approved as presented."

It was moved by Committee Member Farley and seconded by Committee Member Call to **approve** the minutes as presented. The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Next is..."

**A. Mr. Micah G. Miley, Berkeley County Water & Sanitation, Director of Engineering,**  
**Re:** Red Bank Road Sewer Rehabilitation, Construction Contract.

Mr. Miley: "Good evening. This project is for a cured in place pipe for approximately 8500 linier feet of 36 inch concrete gravity sewer. We received six responsive bids. The low bid

was from Reynolds Inliner. We have checked their references. We have also had a previous project with them. The company is responsive and capable of performing the work. We recommend approval of the project for \$1,397,495.00 and this is within the budget for the project.”

Chairman Pinckney: “What’s the pleasure of the Committee?”

Committee Member Call: “Move for approval.”

Committee Member Farley: “Second”

Chairman Pinckney: “I have a motion and a second. Is there any discussion?”

Committee Member Fish: “Micah?”

Mr. Miley: “Mr. Fish?”

Committee Member Fish: “Mr. Chairman, I’m sorry.”

Chairman Pinckney: “Yes sir, Mr. Fish?”

Committee Member Fish: “On this other funded budget, on the 06’ bond funds, was that identified; the bond funds? Or, is this a transfer of funds from some other source?”

Mr. Miley: “In the bond funds was a project called a 2010 Gravity Sewer Rehabilitation Project. The original scope for that project was to do work inside of Hanahan. This section of the line failed during our planning process for lining the work in Hanahan, and we updated Council last year prior to budget that we were going to shift to this project, because it was more critical to the operation of the organization than the work in Hanahan.”

Chairman Pinckney: “Is there any further discussion?”

Committee Member Farley: (Inaudible)

Mr. Miley: “Yes sir.”

Committee Member Farley: (Inaudible)

Mr. Miley: “It is right in front of...We’ve had a couple of collapses along this stretch of line. One was repaired back in 03’, from the Sunrise Mobile Home Park to North Rhett, was done in 03’. Most recently we had a failure right in front of Wendy’s, right at the railroad tracks and from that point to Pump Station 5, which is right on Price Street, which is where this line goes.”

Committee Member Farley: “Thank you.”

Chairman Pinckney: "Is there any further discussion? All in favor? (Ayes) Opposes Nay? (No Response). Motion carries. Thank you, Mr. Miley."

It was moved by Committee Member Call and seconded by Committee Member Farley to award the construction contract to Reynolds Inliner, LLC, for Red Bank Road Sewer Rehabilitation, in the amount of \$1,397,495.00. The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Next on the agenda we've got..."

**B. Mr. Mark Schlievert, Berkeley County Water & Sanitation, Director of Solid Waste, Re: Sole Source Purchase of Landfill Closure Turf.**

Mr. Schlievert: "Good evening, Mr. Chairman and Members of Committee. We've been approached with a new type of closure material that I would like to present tonight and there is an overall savings of \$118,671 by using this. And some of the other things that aren't apparent...you have a closure, a typical closure, you have one foot of intermittent cover, another eighteen inches of compacted clay material and then a liner, and then an erosion layer, and then another approximately two foot. By doing this we can skip the last few foot of soil. There is a concern on my part by doing a conventional cap and have that soil liner interfaced in that we get a lot of rain down here and that forms a slick surface. So, with review of this material and several testing for erosion control, slope stability, cost, I found that this is probably a better product to go with. I want to make it clear, that this would be the first one in South Carolina to use this type of clay cap. It has been tested and tried in several different states to include Louisiana, where they have a landfill capped with this material that went through Hurricane Katrina; it held up. So, it is a tried, true method. I've asked for some additional guarantees on the part of the vendor in that the first year, should there be any reason that DHEC disapproves this material, we would get reimbursed 100% for the cost of just this material; the turf material alone. The liner material we'd have to put down no matter what. That's part of a conventional cap. And then, that's prorated over a five year period. Talking to DHEC this would be under an RD&D research design and development and these products are typically about two years before they become permanent. So every year, Agru America, which is the maker of this material, has agreed to the first year as a 100% recover. Second year, it'd be a 20% reduction of the total cost and it would be finally, a zero cost, at the end of five years. I think it's a good product. I can pass this around and you can look at it if you'd like."

Committee Member Farley: "What does that run per yard?"

Mr. Schlievert: "This whole closure system runs about sixty-seven cents per foot, or square foot, excuse me. This, the closure turf, the actual turf material is about seventeen cents per square foot."

Committee Member Fish: "Does grass grow through that?"

Mr. Schlievert: "Grass will not grow through that, so there is no maintenance once we put it down. We don't have to worry about mowing. We've checked the stability for erosion to make sure it holds. Sand is put down there to hold that closure turf; the grass down in place. We've had it checked for wind loads for hurricanes and actually about sixty miles an hour wind is the most detrimental for uplift and it's still not that bad. It still holds and as the wind speed increases it actually holds it more in place so anything for a hurricane is not a concern. We've got the test to make sure the water doesn't erode the sand away that's holding into place and all those tests have come out. I've got a series of tests that covers all that. We've checked it out A to Z."

Committee Member Fish: "It comes in, I'm assuming it comes in, strips of certain width?"

Mr. Schlievert: "Right."

Committee Member Fish: "Any time I put down strips, where the two of them come together, weeds still grow between that. How?"

Mr. Schlievert: "It would be staggered sir. There's an overlap on this, so it overlaps just like this. One over another and on down and that's the same way with liner material. Underneath that has a weld that's required because it's got to be a complete seal. It can't have any leaks; it can't get down into the landfill at all."

Committee Member Schurlknight: "Mr. Chairman?"

Chairman Pinckney: "Yes, sir. Mr. Schurlknight?"

Committee Member Schurlknight: "Mark, the \$118,000 that you were talking about, that's annual savings?"

Mr. Schlievert: "No, that's a total savings. There's a lot of hidden savings as well, in that, we don't have to worry about mowing it and who can quantify that? I can't really give you an exact figure on that."

Committee Member Schurlknight: "And you're saying, if I use this, we can get away with putting that two foot of soil over it?"

Mr. Schlievert: "That's correct, you can eliminate that two foot and the issue is, right now because of past practices, the area that is in question has been extended past where it should have been and it's been filled. So consequently, we have to move about 31 cubic yards of waste to reshape that, if we're going to put the two foot down. Like I said, in my eyes, it's a lot more stable because you don't have that interface with the water and the liner slick area; which has the potential for mud slide."

Committee Member Schurlknight: "Just out of curiosity, where was that filament coming from over the top?"

Mr. Schlievert: "It would come from our borrowed area."

Committee Member Schurlknight: "From right up landfill road, where they've been digging?"

Mr. Schlievert: "Yes, sir."

Committee Member Schurlknight: "I just heard something about, some of that material wouldn't work and we'd have to get it from somewhere else?"

Mr. Schlievert: "There's some tricks that one can do. In the past, that was an issue. But, we've built all our cells out of that same material. I've kind of, for lack of better words; a recipe that includes some of the marl and some of the other material, and you mix the two together at a certain ratio, and you get stuff that'll work."

Chairman Pinckney: "What's the pleasure of the Committee?"

Committee Member Fish: "Mr. Chairman, I've got one more question. We're the first ones in South Carolina. Are they giving us any break for advertisement purposes? I'm sure if it works here, they'll be happy to bring people. Is that something..."

Mr. Schlievert: "Yes sir, that's part of... they would do all the conducting of the inspections throughout the, through the closure period. They've given us a little bit of a reduced cost on the initial purchase of it. They're going to provide some additional engineering at no cost to us. So there are a few things that they're going to do that are going to save us money."

Chairman Pinckney: "Yes sir?"

Council Member Call: "(Inaudible)...we can sell tickets and let them come look at it. I understand this has to be sealed, completely sealed... (Inaudible)...material, that's how wide?"

Mr. Schlievert: "The rolls usually come in 24 foot wide by 400 foot long rolls."

Council Member Call: "(Inaudible)...when they overlap or they seal."

Mr. Schlievert: "You can as well with a HDPE welder, they call it, that seals it; and there's a little area that you weld together that doesn't have these dimples. Although, they have developed a machine that can weld this with the dimples and it's all tested. It's got to be pressure tested. They've got an electric field that they put out there to make sure there's no holes in any of the liners and I of course, I don't believe this, so...They told me to go out there and put a hole somewhere and not tell them where it is; and they found it."

Council Member Call: "It's hard to believe and we do want this sealed tight because we don't the methane to escape from ...Is that correct?"

Mr. Schlievert: "That's correct. We want to capture what we call fugitive gas, that's currently escaping out of the landfill. We want to capture that and sell it to Santee Cooper and collect carbon credits; that's revenue. That's also a little bit of hidden savings that we'd have to determine down the road once this is in place."

Council Member Call: "You say you put sand on the top of the turf, the astro-turf. How much (Inaudible)."

Mr. Schlievert: "It varies on the slope and different rainfall conditions. On this it would be in the neighborhood of 130lbs per cubic, or square yard, excuse me."

Council Member Call: "130, I mean where's that...(Inaudible)."

Mr. Schlievert: "It's very minute. You're probably talking maybe a quarter inch thick at the most."

Council Member Call: "Now you put those two materials together and they don't move so their weight (Inaudible) would hold in place and (Inaudible)...even on a slope."

Mr. Schlievert: "That's what I'm thinking. I've done a little trial, experiment myself because I was always worried about that, especially in our location with the amount of rainfall that we have and I put a regular liner cap system over a little area on the landfill to see how it would hold up. The first good rain we had, it all came down."

Council Member S. Davis: "Mr. Chairman, one question."

Committee Member Schurlknight: "Move for approval."

Council Member S. Davis: "One...."

Chairman Pinckney: "Mr. Davis?"

Council Member S. Davis: "Who constructs that material? Who actually put it together? Where is it produced?"

Mr. Schlievert: "It's produced, the company is called Closure Turf, is the actual company. But, it's sponsored through Agru America which is a large liner company that's located in Georgetown. It has the America headquarters. But Agru is worldwide. They originated out of Austria. We've bought a lot of liner from them as well as HDP Pipe from them in the past."

Council Member S. Davis: "They are the ones who produce this little green looking grass too then, right?"

Mr. Schlievert: "Yes, Closure Turf. This is produced by Agru America."

Council Member S. Davis: "Is it slippery when it's wet?"

Mr. Schlievert: "This material?"

Council Member S. Davis: "Yeah."

Mr. Schlievert: "No."

Council Member S. Davis: "Ok."

Mr. Schlievert: "You can actually, the good thing about it, the sand and this stuff, I mean in theory. You could probably get by with a liner but you don't want to damage this. With this and the sand on it, you can drive a pickup on it; if you need to maintenance, if you need to go out and check the gas wells or anything like that."

Committee Member Farley: "(Inaudible) see if we can go out there and hit golf balls off of it."

Mr. Schlievert: "Your more than welcome to come on out. We'll have a contest."

Council Member S. Davis: "I hear ya."

Committee Member Call: "Mr. Chairman?"

Chairman Pinckney: "Yes, sir?"

Committee Member Call: "What actually holds the turf, astro turf we'll call it, in place, other than sand? Is it just?"

Mr. Schlievert: "It's just the friction and the sand. Yes, sir."

Committee Member Call: "So it's not (inaudible) mechanically fastened to it in any way?"

Mr. Schlievert: "No, it's not. Those are questions that we had and we asked them to run some tests, engineering tests. There's a thing called an interface friction test. It's a trans-vacivity test where you put pressure and water on it, and a slope, and you see if it's going to fail. The slopes exceeded what we require at roughly twenty-three degrees and still no failure."

Committee Member Call: "You got a motion and I'll second it."

Chairman Pinckney: "I have a motion and a second. All in favor? (Ayes) Opposes Nay? (No Response). Motion carries."

Mr. Schlievert: "Thank you."

It was moved by Committee Member Schurlknight and seconded by Committee Member Call to **approve the sole source purchase of Closure Turf to cap sections of the Sub-Title D Landfill.** The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Next on the agenda is..."

**C. Mr. John Hamer, CPPB, Director of Procurement, Re: Cabling Infrastructure Indefinite Delivery Contract.**

Mr. Hamer: "Thank you, Mr. Chairman. We did a request for qualifications for cabling infrastructure IDC contract. We had some in the past few years, the existing one expired June 30. We had a selection committee review the qualification statements based on the criteria in the RFQ. It's their recommendation to award it to two companies, Meridian Automation and Communication and Universal Netcom."

Chairman Pinckney: "Can I have a motion?"

Committee Member Call: "Move to approve."

Chairman Pinckney: "Do I have a second?"

Committee Member Fish: "Second"

Chairman Pinckney: "I have a motion and a second. All in favor? (Ayes) Opposes Nay? (No Response). Motion carries."

It was moved by Committee Member Call and seconded by Committee Member Fish to **award indefinite delivery contracts for Cabling Infrastructure to Meridian Automation and Communication, Inc. and Universal Netcom, with the initial contract expiring on June 30, 2012 and with the option of four (4) additional one year renewals.** The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Next on the agenda is..."

**D. Mr. Butch Henerey, Chief Deputy, Re: Sole Source Purchase of Live Scan Fingerprint System Upgrade.**

Committee Member Farley: "Move for approval."

Committee Member Fish: "Second"

Chairman Pinckney: "We've got a motion and a second. Any further discussion? All in favor? (Ayes)"



Mr. Henerey: "I need to correct a figure in there if I might. A figure in your letter was \$28,187.00. There was a mistake in the original quote and they quoted tax at 6% instead of eight. It should be \$28,837.00 and the funds are in the budget."

Chairman Pinckney: "Thank you, Mr. Henerey."

Mr. Henerey: "Thank you."

Committee Member Schurlknight: "Thank you, Chief."

Chairman Pinckney: "Motion carries."

It was moved by Committee Member Farley and seconded by Committee Member Fish to approve the sole source purchase of Live Scan Fingerprint System Upgrade from Data Works Plus, LLC. with the approximate amount of the upgrade being \$28,187.00. The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Next on the agenda is..."

**E. Consideration prior to Second Reading, of Bill No. 11-28,** an ordinance establishing a **Stormwater Management Utility** for the purpose of implementing the Berkeley County Stormwater Management Program and satisfying the regulatory requirements of the State of South Carolina NPDES general permit for stormwater discharges from regulated small municipal separate storm sewer systems; planning, designing, constructing, funding, and maintaining stormwater management, sediment control, and flood control programs, projects and facilities; and reviewing and approving stormwater management and sediment control plans for land disturbing activities; and providing for the administration and enforcement thereof.

Chairman Pinckney: "Frank Carson."

Mr. Carson: "Thank you, Mr. Chairman. We prepared a presentation; we know you've heard presentations at first reading. We wanted to respond to some of the points that had been brought up and provide as many opportunities as possible for questions during this process. We realize that it is a complicated issue. It involves a new fee and that always generates a lot of excitement and interest from all corners. So, one area we know there's been a lot of questions. You've gotten questions, we've gotten questions. They've been mentioned in previous meetings is, *What are the requirements and why do you need the money and what are you going to spend the money for?* And so what we wanted to do tonight is to just focus on that area and so that's what this presentation is about. We have for the public information part of it, we have a few little things to polish up and then we're going to put this information on the website for the public as a bill. I know there's been some questions about the origins of the requirement for stormwater regulations and just very, very, briefly to go back to the 1972 Clean Water Act. Clean Water Act addressed water quality for all waters of the US and not just as it relates to stormwater, and the goals of the Clean Water Act are fishable, swimmable waters throughout the U.S. and of course,

that focused for many years on the waste water. In 1987, an amendment called the Water Quality Act was passed and that required EPA to develop a phase program to deal with storm water and related pollutants. In 1990, EPA issued Phase I Stormwater Rule and that addressed large populated areas. In 1999, what we call Phase II Regulations came in place and in South Carolina; of course, DHEC is the implementing authority for those Phase II NPDS Regulations. Berkeley County has been under a permit that expired this year and those new requirements under the new draft permit are what we're going to discuss. That permit, the draft permit, has not been... has been issued. It's going to be reissued at some point in the next couple of months, is our understanding. So, what are the NPDS, small MS, the small municipal separate sewer system requirements, permit requirements, and they focus on the stormwater management plan that we have to prepare. We have to submit that to DHEC for approval, and the major components you see listed on the screen, and on the handout. As far as the costs are concerned, the permit itself doesn't address permit administration but that's always a big cost to the local governments. The discharge is sensitive and impaired water bodies. The public education and outreach on stormwater impact and public involvement process. Listed discharge detection and elimination. Construction site and stormwater runoff control, post construction stormwater management, and pollution prevention, and good housekeeping for municipal operations. And what we've done is taken those broad categories and projects the cost for three fiscal years, and these again are based on the draft permit and so we've broken them down into those component parts and those figures you see, information you see before you. That covers three pages so, just for example, next screen....One of the large areas I'll talk about in a little bit of detail is elicit discharge detection and elimination. This has been a misunderstanding in some areas about what that involves. The perception is that we just monitor stormwater. In fact, there has to be a lot of planning that goes into that process. We have to identify and map the outfalls. We have to establish priority areas, because obviously it can't be done in one fiscal year without extraordinary expense and even finding the man power because again, in South Carolina, there are sixty-five regulated entities that are under the same permit; at the same, generally the same schedule. So those involve field screenings to establish the base line and then investigate, pursue the enforcement actions that extend from that. So, that is a little bit more detailed than just the broad component that we've described earlier. Just for example...go forward...Ok, this is, later we focus on just these components and in this section it talks about the sewer map and further breaks down what those costs are into those specific tasks for the elicit discharge and detection elimination component. Let's go back to the summary sheet. And one more...go to the beginning of this section. Ok, so what I'd like to do is just go through these slides about the major component areas and if there any questions about it...I'm going to read through it, simply because it might bring to mind some question."

- Prepare NOI to obtain Permit coverage
- Develop and update SWMP document
- Review & revise all applicable ordinances and/or adopt new ordinances
- Develop & implement Enforcement Response Plan
- Prepare & submit Annual Report to SC DHEC

Mr. Carson: "Those are all requirements of the permit. Those are not things that we came up with, that any one entity came up with. Those are specifically listed in the permit itself. The draft permit and those are cited in the last segment."

Council Member Callanan: "Mr. Chairman?"

Chairman Pinckney: "Yes, sir."

Council Member Callanan: "So on these, my understanding is, that we are not hiring any new employees, correct?"

Mr. Carson: "We created in the budget, was an additional position, so there is a new position for that task. Anything else we anticipate, in the first year anyway, by hiring consultants and using existing employees."

Council Member Callanan: "Ok, are we? So that using the existing employees, we'll be shifting any of their salaries over to the fee?"

Mr. Carson: "We're using... we've discussed how we would do that, yes. So we are tracking our time so that other things can be charged and that would be separate account."

Council Member Callanan: "Ok, would it be a majority of their time? I mean, because I want to get an idea because if we're shifting some of their time over obviously, and some of their salaries is going to be paid by the fee, then obviously it's going to free up money normally that went to them, that came out of the general fund. So, that's the reason I'm asking."

Mr. Carson: "Well until we, we don't have the final permit. So, some of it will depend on the final permit language. Some of it will depend on what the rest of the workload is. If you remember, we actually had a technician position that's been, was approved roughly three years ago in anticipation of the new permit. That position never was filled because of the down turn and the turn in development. We were able to pick that effort up through existing staff so, in essence, that position wasn't filled until this point. New requirements under the permit necessitate that extra position."

Council Member Callanan: "After the first year of implementation you'll have an idea."

Mr. Carson: "We'll have an idea as to what."

Council Member Callanan: "Itemize all these costs and what have you."

Mr. Carson: "Right, right, and also whether it's more economical if there's some implemental benefit to adding a staff member, as opposed to paying for a consultant. Consulting fees are generally three times what the salaries are. So there'd be a savings if that were the case."

Council Member Callanan: "Now in the, with regards to a lot of these start up costs. How many years are amortizing these costs over a suggested three or does it go beyond that?"

Mr. Carson: "We've tried to do it over three years."

Council Member Callanan: "So that obviously leads to the next question, after that third year where.....It seems like, just reading the list that you just gave us. That a lot of these costs are start up based or at least some of the big ticket items. Software, coming up with a general plan permit, all of that stuff."

Mr. Carson: "Well, some of them are and some of them are referring. The ones that are typically one time or once we have the initial inventory done, and the initial mapping done, that has to be updated continuously. But, the level of expense is much less.

Council Member Callanan: "Right and so, is that going to affect the fee after that third year where we can, now we eliminate the start up costs, and now we're just on an operating basis?"

Mr. Carson: "Yes."

Council Member Callanan: "Ok. Thank you."

Mr. Carson: "And one of the elements is the permanent fee. Coming up with what is the permanent fee? Because then you're looking at the impervious areas. There would be a reallocation of that money. We have very low...You look at impervious areas. These are very low fees for commercial, industrial; those would certainly go up if you're going to do it on impervious surface basis. So, there's some reallocation that would happen and more accurate information on the costs."

Council Member Callanan: "And you had just brought up another point which I didn't know if we were going to get too, which is, are we going to be able to decide what that permanent schedule is because one of the...a lot of the concern I get from this, from the folks on the commercial end, is that it just becomes so weighted onto the commercial guys. It's just another tax. I understand that you could base it on impervious surface, entirely but, the point I brought up before is that in a lot of cases we're requiring them in order to get a construction permit. Let's say, they need to have parking spaces. They need to have all these different things. We're requiring impervious service so then, not only are we requiring it, then we're penalizing them for having it by having larger fees. So, I just want to see if...Are we locked into having it only based on impervious surface or can we create a balance there?"

Mr. Carson: "There are ways to balance it. A couple of ideas are, when we talked about and as in the proposed ordinance, credits. So, some of them discharge directly, let's say Bushy Park, a lot of them discharge directly to the river and they are already under their own permits. Obviously, they're probably under more strict regulation than they would be under the Phase II

permit. There... you can also establish caps so that some of those extraordinary costs are. There is some cap on it.”

Council Member Callanan: “Ok, great. Thank you.”

Council Member S. Davis: “Mr. Chairman?”

Chairman Pinckney: “Yes sir, Mr. Davis?”

Council Member S. Davis: “I wasn’t here at the first meeting but I want to make sure I get some facts straight. First of all, as it currently exists it’s been coming out of the general budget?”

Mr. Carson: “Yes, sir.

Council Member S. Davis: “For how many years?”

Mr. Carson: “Three?”

Council Member S. Davis: “Three years, now your decision has been...”

Mr. Carson: “Oh, that was seven years...well.”

Finance Director K. Smith: “2005-2006 was the first year.”

Council Member S. Davis: “Ok. Now the decision has been made that the cost should be in the form of fees for the unincorporated areas.”

Mr. Carson: “Well, that’s our recommendation. That’s a mechanism available....excuse me, again because of the additional requirements under the new permit.”

Council Member S. Davis: “Unincorporated. I was reading something quite interesting. It said that Moncks Corner is not included because they’re not urbanized and so a lot of this is driven by population too apparently.”

Mr. Carson: “It is. Some of it is driven by population, yes. That’s how the urbanized areas are identified, is through the census.”

Council Member S. Davis: “And that’s what really gets me in this matter. You’re talking about this fee, where farmland is excluded, for farming purposes. Also, the churches would be required to pay under what’s proposed here.”

Mr. Carson: “Yes.”

Council Member S. Davis: "But it seems to me that the folks who generate the largest amount of storm water really is not being tremendously affected. Because if you take an area like, I don't want to pick out an area, but an area where there's a lot of construction in the areas it's occurring; it seems like it is an unnecessary, unfair, assessment fee against the folks who are in the unincorporated area. I know the County; you're trying to assess this start up fee. But it just seems so imbalanced in reference to what you're trying to accomplish."

Mr. Carson: "Well again, there ways to include those municipalities and those municipalities, Hanahan and Goose Creek are under the same permit. City of Charleston is under the same permit. We're not doing their program. All of those, the permit, our notice of intent, won't apply to them. They have to pay that, themselves."

Council Member S. Davis: "That is my point, that's my whole point. Those are the areas that have the population and yet the areas that don't have the population, out in the rural part of the County, is going to be the part that the tremendous focus is going to start up this stormwater process. It just seems totally unfair. Now, currently it's been paid by everybody in the County out of the General Fund, correct?"

Mr. Carson: "Yes."

Council Member S. Davis: "But now, in reference to start this process, you want to push this over to the unincorporated area, and I don't mean you literally because it's Council who's got the burden of passing this, to the unincorporated areas. And then, these other guys who really have the population can sit on the sidelines and come in when they're..."

Mr. Carson: "Well no, they're not coming in because they have to spend the same money. They have to do the same thing. I don't know how they're going to pay for it. I mean tomorrow night for example, we....as I've said before, we've had discussions with Hanahan and Goose Creek all along. The City of Charleston has been paying for it for 10, 15 more years. The City of Goose Creek and City of Hanahan, tomorrow night, Hanahan's gonna hear the same presentation you all heard last month and they've already given us a proposed inter-governmental agreement asking the County to collect fees on the same rate as our ordinance for this program. So it's all, we're all in it together."

Council Member S. Davis: "I think as far as where I live, it's all agriculture and farm land. I think we all should be exempted in relationship to the lay of the land that I see in relationship to the urbanized areas in comparison. And so, I can assure you, that's going to be a difficult sale. I don't foresee this at all but I'm just one person or one individual on County Council but it just seems to me so imbalanced. And I take another front, you say that the EPA told DHEC in Columbia and then Columbia made the rules that we got to abide by and then it falls on the local level where the County has to come up with the issues for funding for this. It's just that Washington, DC, Columbia, South Carolina; then Berkeley County."

Committee Member Schurlknight: "Mr. Chairman? Are you finished Mr. Davis?"

Council Member S. Davis: "Yeah, go ahead."

Committee Member Schurlknight: "Frank, some of the stuff that... I have been talking to a fair amount of people since the first reading of this thing. One of the biggest concerns is the fee schedule. When you look at how much NUCOR is paying and how much individuals pay. It just looks like it's just really out of kilter on that."

Mr. Carson: "Oh it's hugely out of wack, but the only way to get to that point again, relate it back to impervious area or something else, is to do the permanent study so this is just an interim fee. It can be...you all can pick a number. That's the suggestion. You can pick a number but all we have to work with right now is what's in our assessment records so we know, we know parcels that have buildings on them. We know parcels that don't have buildings on them. We know what their classification and use is. So what we're trying to do is, is come up with an interim fee that we can, I won't say defend, because there are inequities. I'll be the first to admit that. But, that's all the information we have right now in order to get the program funded; when we need to fund it."

Committee Member Schurlknight: "How much of a job is it gonna be to go out and inventory all these pervious surfaces on these tracts of lands? I know it's got to be a huge undertaking."

Mr. Carson: "I think our budget is what we put in there for three years, is roughly \$400,000-\$500,000 dollars; including the aerial surveys, the digitizing, because it's all done by mapping. You're not going to go out on the ground and physically survey it all, so it's done by mapping and software."

Committee Member Schurlknight: "And also, majority of my district is rural and the general consensus from a good bit of people is that they're paying for development. Commercial stuff has come in and put the parking lots in and the water runoff and the asphalt and the storm water. And a lot of them feel that if it's by pervious surface, probably be the most fair way to do the thing. Because a lot of stuff out in these rural areas haven't changed. But the development area is where a lot of the changes come from."

Mr. Carson: "I'm not arguing that point, either. I'm not trying to argue any points. All I'm trying to do is say, we have a permit, we have a program that we have to implement and we have to pay for it somehow. If you look at, if I were wanting to argue it, what I might say would be, that a lot of the water quality issues....if you look at the impaired waters, there are impaired waters in Lake Moultrie. That water didn't come from Goose Creek and Hanahan. A lot of the impairments have to do with fecal color form that comes from failed septic tanks. There are nutrients that come from agricultural runoff. There all sorts of pollution sources. So, to say the exempted agricultural field gets herbicide, pesticide every year, twice a year; and it runs off and it goes into a stream and ends up in Lake Moultrie and doesn't have a structure on it, won't pay a storm water fee."

Committee Member Schurlknight: "Right, and I understand that. I'm just giving you some feedback on what I'm hearing."

Mr. Carson: "I understand, I understand and I'm trying to give you some..."

Committee Member Schurlknight: "And I appreciate that as I do need to know some of those answers. Because it's kind of an unknown right now and I'm just kind of feeling my way through this thing."

Mr. Carson: "Yes, sir."

Committee Member Schurlknight: "Also, on the 1.4 million dollar price tag that will get this thing up and going; which you've given us good information here to look at, how that's broken out. But those are some of the things that I've been hearing about over the last couple of weeks."

Mr. Carson: "Sure."

Committee Member Schurlknight: "Just throwing that out there. Food for thought."

Mr. Carson: "Sure."

Council Member S. Davis: "Mr. Chairman, just one more question."

Committee Member Schurlknight: "Thank you Mr. Chairman."

Council Member S. Davis: "When you say unincorporated, so the town of Bonneau is not included also? Even though it's small, it's got a lot of folks."

Mr. Carson: "Right."

Council Member S. Davis: "The town of St. Stephen not included."

Mr. Carson: "Right."

Council Member S. Davis: "So, what do y'all expect a deer to come up with this money or something? Unincorporated area; what's the population out in the unincorporated? I mean, y'all assessed how many parcels of land out of there or individuals to come up with this sum of money y'all need?"

Mr. Carson: "Our friends in IT, and the Assessor, and the Auditor, we're...you know we've done that, yes."

Council Member S. Davis: "I see why I'm losing population out in the rural part of the County. I mean, it's just another expense. I think it's an unnecessary one to be honest with you."



Chairman Pinckney: "Mr. Carson, my concern is first and foremost, that we need to educate folks in the rural and unincorporated areas as to what this entails. Where it's coming from, because a lot of folks are under the impression that this is a Berkeley County initiative; not realizing that this is, correct me if I'm wrong but, this is another mandate coming from Washington. Through the State of South Carolina and then down to local government and it comes without any funds to handle that. They're just saying this is what we decided needs to be done and you on the local level, first of all, you not only got to see that it gets done, but it's your responsibility to come up with the funds in which to do it. You know, there's a lot of a concern, folks out in the fish camp for an example. You're talking \$18 for trailer, that's what...I'm going to use it that way. They're saying you know, they may have....that's a part of their business, does that mean they got to pay \$18 per trailer in their fish camp? I mean, that would really create a lot of problems for them. These are some things that we really need to take a critical look at and like I said, let people know exactly where this is coming from. I had somebody call me and said: You know Berkeley County needs just say this is another tax increase and stop using the fee. But like I told them, that's not initiated from the County, that's coming from Washington on down through the State."

Council Member S. Davis: "But Mr. Chairman I think that same event, if it's the County and the County is under that broad umbrella, would have sub-parts; like Hanahan, sub-parts like Goose Creek but the County apparently still has to maintain its own waste water program. I guess that's what you're telling us?"

Mr. Carson: "Again, there's sixty-five entities in the State, so obviously, there are more in some, I don't know, I don't think it goes into all counties as far as being regulated areas based on, you know, the densities."

Council Member S. Davis: "And all sixty-five entities are doing it by fees?"

Mr. Carson: "No, some of them have been doing it by fees for 10-15 years. You know, Berkeley County is the last one in this area that has. I think Charleston County started three years ago under the old permit. So we've been, again we've been, stingy with your money; with these folks money. Again, there's been no, we haven't done aerial mapping and we haven't done all of those things under the old permit because we felt, we'd take a paper map and mark the point on it. Under this new permit, you simply can't do that. You just can't do it anymore and that's the point we're at now."

Council Member S. Davis: "I understand, but my point is in reference to the cost."

Mr. Carson: "Yes."

Council Member S. Davis: "All sixty-four of those entities put in place fees for that to be done? That's the question."

Mr. Carson: "Most of them have. Not all of them, but most of them. Almost all of them."

Council Member S. Davis: "Thank you, ok. So there are alternatives?"

Mr. Carson: "General fund is the alternative."

Supervisor D. Davis: "All sixty-five of them had to come up with the money."

Council Member S. Davis: "I understand that but the method of coming up with the money that's what I'm concerned about."

Committee Member Farley: "Mr. Chairman?"

Chairman Pinckney: "Yes, sir?"

Committee Member Farley: "If they don't come up with a method then they're going to take it out of the General Fund like we have, correct?"

Mr. Carson: "Yes, sir."

Council Member C. Davis: "Mr. Chairman?"

Chairman Pinckney: "Yes, Ms. Davis?"

Council Member C. Davis: "How much was taken out of the General Fund the past couple of years for this?"

Finance Director K. Smith: "Glad I brought my notebook."

Committee Member Fish: (Inaudible)...\$60,000."

Finance Director K. Smith: "For the most recent year, the 2010-2011 the total cost that we spent \$49,957; that was the total expenditures. The General Fund, funded \$17,599 so, that was all that was needed from the General Fund was the \$17,599. We had some other revenues that made up the difference. The prior year 2009-2010 we had total expenditures of \$71,277. The General Fund put in \$69,710 thousand and other revenues of \$1,567."

Council Member S. Davis: "What did that cover? That'll cover everybody?"

Mr. Carson: "Well, we weren't charging salaries and benefits. We weren't..."

Council Member S. Davis: "I'm not talking about that part about covering everybody. I'm talking about in relationship that this..."

Mr. Carson: "No, that was the regulated area, the area that we had to cover, basically is the urbanized area."

Council Member S. Davis: "So that was the urbanized area?"

Mr. Carson: "Yes, sir."

Council Member S. Davis: "And so folks who are paying taxes out in the rural part of the County, we're subsidizing that already; right?"

Mr. Carson: "They were subsidizing part of it, yes. But those...the area is what we use the same boundary as the transportation impact fees on because that brought in those growth areas at Cane Bay and so forth; so that's really where it comes from, and we offset part of that, the revenues that Kace's talking about, were through the inspection fees and the plan review fees that Council authorized when we passed the ordinance."

Council Member S. Davis: "I just want... I don't want to go away from here saying that folks out in the rural part of the County hasn't been taxed already. I mean we pay our taxes and so it was going into the General Fund and that was going toward the whole application, the whole operation. Is that correct?"

Mr. Carson: "That's correct."

Council Member S. Davis: "Ok."

Committee Member Fish: "Mr. Chairman?"

Chairman Pinckney: "Mr. Fish?"

Committee Member Fish: "Your projection for 2012 expenditure of \$760,000 and the expenditure of fiscal year 2013 about \$1.4 million, that's the total cost for this program, estimated?"

Mr. Carson: "Yes, sir."

Committee Member Fish: "What is the projected revenue for fiscal year 2012 on this plan and what are the projected revenues for 2013, and on?"

Mr. Carson: "I don't have that with me, but I'll have it. I'll get that for you. The revenues would basically be those same inspection and plan review fees."

Committee Member Fish: "It's not our intent to make this a revenue producer? Is that a true statement? It's actually designed to just cover the cost."

Mr. Carson: "Yes sir and the rates would be adjusted to cover those costs. Again, we're giving you a projection from a draft permit that's not finalized yet and a lot of other factors go into that so again, it's the fee and it'll be adjusted as needed."

Committee Member Fish: "It seems to be the understanding that the fees are going to be a lot, substantially higher than \$1.5 million dollars in two years. I just want to make sure that this information is..."

Mr. Carson: "But these are interim fees, if we finish the...and it's based on using that same schedule. If we do the permanent study, and we get a better figure based on some other basis other than structures on a residential property; if it's on a basis of impervious surface, then all of those are adjusted again. The revenue would match whatever the costs are. If the costs are down and the rates are all different...."

Committee Member Fish: "Be lower."

Mr. Carson: "Yes, sir."

Committee Member Fish: "I'm concerned about it being a revenue generator as opposed to just covering the cost."

Mr. Carson: "No, we're not trying to generate revenue; it's just that that's the best information we have at this point."

Council Member S. Davis: "I know you're not trying to generate revenue if NUCOR is a \$108 and a fellow out in the rural part of the County, got him a little brick home with two bedroom is \$36 fee. That's astronomical. \$36 dollars compared to \$108 for NUCOR."

Council Member Callanan: "Mr. Chairman?"

Chairman Pinckney: "Mr. Callanan?"

Council Member Callanan: "A couple of questions. If we, you know, let's say that ...for whatever reason, this is actually voted down. Does that mean we don't implement the higher standards or does it mean, we just have to slash a million dollars out of the budget to come up to pay for it?"

Mr. Carson: "We still are required to comply with the permit. It doesn't change anything about what those requirements are. Obviously, there'd be no need to do the permanent utility fee study."

Council Member Callanan: "Right."

Mr. Carson: "So that expense would come off. Some of the others I'm..."

Council Member Callanan: "But, the question is, we wouldn't be just continually on the kind of a lower management level that we are right now; where we have those lower requirements. We would actually still have to move forward and implement this?"

Mr. Carson: "Yes, the permit is the same permit, regardless."

Council Member Callanan: "Right so, the second question has to do with...I thought I remember someone saying something about that, I mean, would this be tied in with the new census to determine what the new urbanized area is or ...."

Mr. Carson: "The boundaries will change and one we know, I say we know, we're pretty satisfied from our understanding from DHEC for instance, that Moncks Corner is gonna be regulated. Once everything's official then they'll be in it. Just like Goose Creek, Hanahan and Summerville and Charleston."

Council Member Callanan: "Ok and the last question has to do with aerial mapping, I think I'm right to understand that, is there some sort of requirement that we have to do that through GIS anyway every five years or so?"

Mr. Carson: "There is, yes."

Council Member Callanan: "Could we simply just overlap the whole thing and do them both at once?"

Mr. Carson: "There's some features you'd probably add using Lidar for Topography in addition to the normal Orthomapping that we'd do for the assessment. So, where we could save in those areas and that's one we would certainly look at."

Committee Member Schurlknight: "Mr. Chairman?"

Chairman Pinckney: "Yes sir, Mr. Schurlknight."

Committee Member Schurlknight: "Frank just one question on the accounting side of it. Do y'all have like a work order or something set up to where we are going to record all the revenues and expenditures, and at the end of the year, we'll have a balance sheet and say; look this is what we collected, here's what it cost to operate the system."

Mr. Carson: "To the extent that it's practical to do that, and the reason I say that is, we can make time sheets, and we can say here's our time, here's our payroll costs for this person. We're not trying to say there's... in business you would have a general overhead. We're not saying the building occupancy, that person is occupying 250 square feet and we're going to add that to an overhead rate and we're going to charge all of that. We're keeping payroll and the reason we've had this other department is to track the consulting contracts, the permit fees, because we've been paying for a permit fee. We've been paying for the Carolina Clear Program and all those things are accounted for under the Stormwater Management Program; organization keys in the financial reporting system. So all those will be tracked and allocated to that effort."

Committee Member Schurlknight: "Right, I think it's imperative to keep as accurate numbers as we can on expenditures and revenues. I know how the County is set up but you know

like with an account number and a project number. That project number would fall back to stormwater runoff as far as labor, expenses, whatever; everything going to that project number and then capture that at the end of the year and break it up at that point.”

Finance Director K. Smith: “Many years ago we set the stormwater up as a special revenue fund. So it is segregated in our accounting books. It’s segregated on your financial statements. The funds are accounted for separately.”

Committee Member Schurlknight: “As long as we look at it year end and say this is hard numbers. This is what we collected through...”

Finance Director K. Smith: “The monies are directly into the special revenue fund. The monies...the expenditures are taken from the special revenue fund. It’s very clean accounting.”

Committee Member Schurlknight: “Sounds good, thank you.”

Council Member S. Davis: “Here’s one final thing. It seems to me that all the communities that are similar situated like the Town of Jamestown, Town of Bonneau and pretty soon the Town of Forty-One, and the Town of Alvin, need to be incorporated and then we wouldn’t have this issue.”

Mr. Carson: “And we can certainly work on that, I’m not...that gets into some of the legalities. In fact, we had...in talking with Hanahan, apparently Greenville County did that up front, most of the others Charleston County for example, has intergovernmental agreements with their regulated municipalities. Lexington County does the same thing, they have intergovernmental agreements, but because of the time we have to try and get this on the tax bill we’re getting the revenue side fixed and then we’ll drop back and get those intergovernmental agreements. Because we don’t... to necessarily take responsibility for their program until we know what that program is gonna be. We don’t want Hanahan, and I’ll pick on Hanahan because they’ve been a good partner working on this. We don’t want them to come up with a program that says we’re going to hire staff to do certain things and then there’s not.....and inter , intergovernmental agreement with us to handle that part of the program because that’s not what we’re planning.”

Council Member S. Davis: “Frank, I don’t got no problem with that and I understand that this is a necessity. This is where my issue lies. If I live in a little incorporated town, Town of Bonneau, Town of Jamestown, Town of Alvin, the startup fund does not affect us. True?”

Mr. Carson: “Only to the extent that you’re not in an urbanized area, you’re not...”

Council Member S. Davis: “You didn’t make that regulation, that came from up from Columbia. That came down from Washington, DC. They are looking for numbers, they’re looking for people, they’re looking for people.”

Mr. Carson: "They don't care how you pay for it."

Council Member S. Davis: "Well I ain't worried about the cost, that's another issue. I'm talking about equity in reference to what I'm talking about. You want the unincorporated areas to create this sum of money and I'm saying that if I was in a small, incorporated area based on this ordinance you want to pass. I don't have to pay these fees."

Mr. Carson: "If you were in that situation, you're just lucky."

Council Member S. Davis: "Lucky? Let me tell you....lucky. I got to Las Vegas when I want to be lucky."

Mr. Carson: "No, I'm just saying the...."

Council Member S. Davis: "I understand Frank, what I'm saying is, it seems totally unfair. I know you're telling me Moncks Corner...I read in here that said Moncks Corner was not included and Moncks Corner would have to deal with Phase II, now I'm hearing different on the census. I thought we had the census number a long time ago."

Mr. Carson: "It's not official. That won't happen for a little while yet. But once it's done, I mean, they know what the numbers are so they know what's gonna happen."

Council Member S. Davis: "Well what's the total population that's in Berkeley County?"

Council Member Callanan: "176,000."

Mr. Carson: "Yeah, there we go."

Committee Member Fish: "Why can't we include them? Why can't we include St.Stephen, Bonneau and Jamestown?"

Mr. Carson: "I'm not sure if we have the legal...we can include them if they wanna be included, I'm not sure if we have the authority to impose it unless under the Statute, and that's something we'll have to research."

Council Member Callanan: "Mr. Chairman?"

Committee Member Fish: "I agree with Mr. Davis, I can understand why Moncks Corner's a bigger city and Goose Creek maybe whatever, but the small towns would come under rural. Bring them all in."

Council Member Callanan: "And just, you know, I think the question was or what I was trying to get at with Steve's question was, if there were no unincorporated areas in Berkeley County. If they just simply decided the rural areas were going to all incorporate under, you know, Berkeley City. Then they wouldn't, then we wouldn't, even they wouldn't have to because

they'd be outside the urban area. Institute a fee right now, but because of Berkeley, is as a whole in some of those areas that are unincorporated are urbanized. All the other, even rural areas are tied into this. Is that close?"

Mr. Carson: "They can't, they're different levels because there's...the census is the mechanism that the federal government chose to determine who is a regulated entity. So they decided, and it's a little complicated for us because we maintain facilities in those municipalities. So, in their wisdom they said if there's a municipal boundary then they are responsible for what's in that boundary. They may not maintain or operate anything but they are responsible. So in their view, they drew that line. How we, you know we can have these interagency agreements and say well no we're going to be all the same and that's simple. The question I don't know that we'll research, going back to Mr. Fish's point is, can you impose that on a municipality that chooses not to have their own program?"

Committee Member Call: "Mr. Chairman?"

Chairman Pinckney: "Yes, Mr. Call?"

Committee Member Call: "Mr. Carson is there gonna be, I see you have here, digitations of impervious areas from maps and perform detailed impervious area calculations based on digitized information. Is there going to be a process where somebody says I don't have that much impervious surface on my property that they can appeal that calculation that the County makes?"

Mr. Carson: "Yes, there's a provision in the ordinance for appeals."

Committee Member Call: "Because it don't seem fair that people in rural areas that have very little impervious surfaces on their property. Some of them no more than their homes, pay the same thing somebody in an urban area that has a lot of driveways and sidewalks and patio pool decks and things like that; paved streets. I'm getting pushed back on two fronts. One is some people feel like they should pay the same fee as somebody that has a lot more impervious areas. Number two, and you can answer this pretty simply I think, I think I know the answer, are we collecting more than we really need? And if we are, do we have a mechanism to return it in the next year?"

Mr. Carson: "The first part again, there is very, very, simple to say there's inequities in what we proposed in the interim rate because it's just that, it's an interim rate. You know I could, people could, come up with examples all day. If I've got a mobile home in the country and I'm paying \$18, but I've got a 2 mile driveway that's paved to it I'm gonna pay a lot less than somebody who might have a 2,000 square foot house with a dirt road going to their home because it's an interim rate. Now, when the permanent study is done and those impervious surfaces are determined that won't be true anymore, that's the point. That's where we're trying to get to. But today, with the information we have, there's no way we can send the bill to that person with the most impervious surface until we know where they are. Until we know what is there."



Committee Member Call: "I think what maybe you are answering my question, the bill ultimately will be based on the impervious surface on the property."

Mr. Carson: "Yes, sir."

Committee Member Call: "And not a flat fee."

Mr. Carson: "Yes, sir."

Committee Member Call: "As in North Charleston, Mt. Pleasant, Charleston, whatever you got. They've got a flat fee which is more than what ours is. Is that what I'm hearing you say?"

Mr. Carson: "Well our intent is that permanent rate is based on impervious surface, yes."

Committee Member Call: "And it's a flat fee?"

Mr. Carson: "No sir, the interim rate is flat fee."

Committee Member Call: "Ok."

Mr. Carson: "When you go...."

Committee Member Call: "I got you."

Mr. Carson: "Impervious surface it'll vary depending exactly on that, the amount of impervious surface. Less any credits on it."

Committee Member Call: "It's not too hard to determine impervious surfaces. I have to do it every time I turn in a plan on Daniel Island but the sheer volume that you have to deal with in a short time is I think it's probably the reason we are having a flat fee. Now, is that what I'm understanding?"

Mr. Carson: "Yes sir, it's not practical. You know we've estimated the cost to do a detail study to be \$400,000-\$500,000 thousand dollars. I don't have \$400,000-\$500,000 thousand dollars nor the time to come up with that in the time that we have to meet the requirements of the permit. So, like most entities, we're proposing an interim rate. Some of them have done it different ways. I think Dorchester was just a flat rate for a parcel. That was done before there were exemptions for agricultural and undeveloped property so they couldn't do that any longer. We're trying to do the best we can as fast as we can with the information we have. The second question you asked about what if it goes back to Mr. Fish's point. We're not here to generate revenue. We're here to cover the costs so those rates, it wouldn't be a refund, it would be an adjustment on the rate as the program goes forward."

Committee Member Call: "Knowing, I'm sorry, knowing how Washington operates. Is this just another step toward putting all this stormwater through some kind of wastewater treatment plant?"

Mr. Carson: "Well, if you want to speculate that far ahead. It could be."

Committee Member Call: "That will be very expensive."

Mr. Carson: "That'd be very expensive. I mean again, this is the first permit cycle had one set of requirements; basically said if you pass these ordinances and you say you have to have your plans reviewed, then we expect the water quality to improve. Second cycle of the permit saying we want you to prove that it does, so that's where the monitoring, and the sampling, and the reporting come in. So what happens after that is still hopefully, five years ahead of us."

Committee Member Call: "Will you make any provision or can you make any provision for people to self report their impervious surfaces and the County not have to go out and measure their driveways and..."

Mr. Carson: "Again, we're going to do them all at.... I don't think it'd be practical for them to self report. Because then we're tracking....did they report? It'd be simpler just to go ahead and calculate it, and send the bill rather than wait on them to...if somebody feels like it's unfair then they have the opportunity to appeal it."

Committee Member Call: "I just don't believe that you can accurately calculate impervious surfaces from an aerial photograph."

Mr. Carson: "I think you can. You know the option is, they're gonna, how are they going to determine their impervious surface? They're going to hire a surveyor who's probably gonna charge them several hundred dollars to go out so they can reduce a \$50 bill. I don't think, and it certainly wouldn't be to our benefit to go out and do that way, so I don't know that it would be to anybody's benefit to try and do that. But, if they did know that information and they had a mortgage survey that somebody happened to have that information, then we'd certainly consider it."

Committee Member Call: "You would consider it? If they had a ...."

Mr. Carson: "Sure, that's the appeal process."

Committee Member Call: "If they had..."

Mr. Carson: "We would figure it, send them a bill and if they wanted to appeal the bill based on information then certainly."

Committee Member Call: "You would consider that if they came back with an engineer."

Mr. Carson: "Sure."

Committee Member Call: "Would it have to be an Engineer?"

Mr. Carson: "Engineer, Surveyor, I mean something reasonable. I mean, there'd have to be something reasonable. Not just, I think you're wrong."

Committee Member Call: "Can I measure my own driveway and bring it in to you?"

Mr. Carson: "Sure."

Committee Member Call: "Ok, that's where I wanted to go. Thank you."

Chairman Pinckney: "I have one question for you. We've been paying out of the General Fund since what 2005-2006, did we say?"

Finance Director K. Smith: "That's correct."

Chairman Pinckney: "And I know there's an effort to try and get this on the tax book. What happens if we don't?"

Council Member S. Davis: (Inaudible)

Mr. Carson: "Let's say you did it in December. Let's say you did it in January. After taxes are due, you could send out a separate bill."

Chairman Pinckney: "And my reason being is, asking that question, if it's something we've gotta do, then it's something we've got to do. But, at the same time, because there's a lot of questions and a lot of unanswered questions, I think we need to take the time to make sure that everybody understands what's going on. I sincerely believe that. Because you know, we're always talking about what we do on a local level and how we mismanage taxpayer's money, supposedly. But then nobody really looks at the guys that actually caused that to happen. They're not here in Berkeley County. They are somewhere around in Washington. I think people need to fully understand what is happening with this stormwater situation."

Council Member S. Davis: "Mr. Chairman, I'll just say that it's another fee, and we know, that fees don't go away. Ok? We maybe need to revisit all these resurfacing of all these dirt roads that we're doing all out in the rural area, because apparently, that's going to be a tremendous cost also. So in one sense you're trying to pave the roads and on the other sense you're trying to tell folks don't put asphalt and things down in the driveway. Wow, what a paradox."

Chairman Pinckney: "Well that being said, what's the pleasure of the Committee?"

Committee Member Fish: "Move for approval."

Chairman Pinckney: "Got a motion. Do I have a second?"

Committee Member Schurlknight: "Second."

Chairman Pinckney: "Any further questions or discussion? (No Response) All in favor? (Ayes) All opposed?"

Council Member S. Davis: "I'm not on the Committee."

It was moved by Committee Member Fish and seconded by Committee Member Schurlknight to **approve**, prior to **Second Reading, Bill 11-28**. The motion passed by unanimous voice vote of the Committee.

Chairman Pinckney: "Can I get a motion..."

Council Member S. Davis: (Inaudible)...case again, in front of the public."

Chairman Pinckney: "Can I have a motion to adjourn?"

Committee Member Fish: "I so move."

Committee Member Schurlknight: "Second"

Chairman Pinckney: "All in favor? (Ayes) Opposes Nay? (No Response). We stand adjourned."

It was moved by Committee Member Fish and seconded by Committee Member Schurlknight to **adjourn** the Committee on Public Works and Purchasing meeting. The motion passed by unanimous voice vote of the Committee.

The meeting ended at 7:19 p.m.

September 12, 2011  
Date Approved

**PUBLIC WORKS AND PURCHASING**  
(Standing Committee of Berkeley County Council)

Chairman: Mr. Caldwell Pinckney, Jr., District No. 7

Members: Mr. Phillip Farley, District No. 1  
Mr. Robert O. Call, Jr., District No. 3  
Mr. Dennis Fish, District No. 5  
Mr. Jack H. Schurlknight, District No. 6

Mr. Timothy J. Callanan, District No. 2, ex officio  
Mrs. Cathy S. Davis, District No. 4, ex officio  
Mr. Steve C. Davis, District No. 8, ex officio  
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Standing Committee of Berkeley County Council will be held on **Monday, August 8, 2011**, at **6:01 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

**AGENDA**

**APPROVAL OF MINUTES**

**July 11, 2011**

- A. Mr. Micah G. Miley, Berkeley County Water & Sanitation, Director of Engineering, Re: Red Bank Road Sewer Rehabilitation, Construction Contract.**
- B. Mr. Mark Schlievert, Berkeley County Water & Sanitation, Director of Solid Waste, Re: Sole Source Purchase of Landfill Closure Turf.**
- C. Mr. John Hamer, CPPB, Director of Procurement, Re: Cabling Infrastructure Indefinite Delivery Contract.**
- D. Mr. Butch Henerey, Chief Deputy, Re: Sole Source Purchase of Live Scan Fingerprint System Upgrade.**
- E. Consideration prior to Second Reading, of Bill No. 11-28, an ordinance establishing a Stormwater Management Utility for the purpose of implementing the Berkeley County Stormwater Management Program and satisfying the regulatory requirements of the State of South Carolina NPDES general permit for stormwater discharges from regulated small municipal separate storm sewer systems; planning, designing, constructing, funding, and maintaining stormwater management, sediment control, and flood control programs, projects and facilities; and reviewing and approving stormwater management and**

sediment control plans for land disturbing activities; and providing for the administration and enforcement thereof.

August 3, 2011

S/Catherine R. Windham

Interim Clerk to Council